

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:10-CR-260-MOC-DSC**

UNITED STATES OF AMERICA)
)
 v.)
)
 GREGORY D. ANDERSON,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on defense counsel Randolph Lee’s “Ex Parte Motion to Withdraw as Counsel,” Doc. 15, filed August 7, 2011. The Court conducted a hearing in this matter on August 11, 2011.

On July 20, 2011 the Court conducted a hearing and ordered that Mr. Lee remain as appointed counsel. On August 2, 2011 the Government conducted a “reverse proffer” meeting at the jail with Assistant U.S. Attorney Mike Savage, the case agents, Mr. Lee, and Defendant present. At the hearing, Mr. Lee represented that matters became “contentious” towards the end of that meeting. Mr. Lee also represented that at the conclusion of the meeting, Defendant asked him to withdraw as counsel. Defendant represented that Mr. Lee was unwilling to meet with him further after the meeting.

Defendant also proffered a motion to withdraw filed by Mr. Lee in a state criminal matter citing the relocation of his practice from Mecklenburg County. In response to the Court’s inquiry, Mr. Lee stated that the attorney-client relationship has deteriorated to the point where he cannot provide effective representation. The Court advised the Defendant that appointment of counsel does not allow for the attorney of his choice, and that he is expected to cooperate fully with new counsel. The Court also advised him that his case is currently set for the September 6, 2011 term before

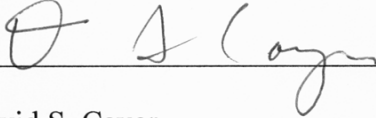
United States District Judge Max O. Cogburn, Jr.

Based on the above facts, the Court finds that there is sufficient basis for allowing Mr. Lee to withdraw. Therefore, Mr. Lee is relieved as defense counsel and the Federal Defender's office is directed to appoint substitute counsel.

The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: August 12, 2011



David S. Cayer
United States Magistrate Judge

